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July 1, 2004

Chairman Michael Powell
Commissioner Kathleen Abernathy
Commissioner Kevin Martin
Commissioner Michael Copps
Commissioner Jonathan Adelstein
Federal Communications Commission
445 12th St., SW
Washington, DC 20554

RE: MB Docket No. 04-207

Dear Commissioners:

As co-chair of the New York City Council's Black, Hispanic and Asian Caucus, I am often asked to weigh in on the affects of federal policy on New York City's numerous communities of color. It is for that reason that the current proceedings on cable *a la carte* pricing have caused me considerable concern. *A la carte* pricing proposals, if enacted, are likely to impact consumers in exactly the wrong way by raising prices and decreasing the diversity of cable programming now directed at minority communities.

Often times, the principal source of news, entertainment, and other information received in minority communities comes from cable programming. Unlike broadcast television networks, which have few minority focused programs and a scarcity of minority-filled roles, BET, Univision, Telemundo, TVOne, SiTV and others are providing quality programming directed to audiences in communities like mine.

The reason such diverse programming is available is because the cable business model allows networks that attract smaller audiences to survive as they build up their customer base. Leveraging the success of larger, more established networks allows cable operators to ensure that stations with smaller audiences get heard.

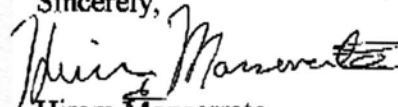
An *a la carte* price model, in contrast, is a tyranny of the majority. Offering programs on a per channel basis only guarantees that the most mainstream networks survive. Channels with *niche* audiences will find it difficult to attract new viewers, as their principal method of advertising – the remote control – is ripped from their hands. Instead, they will be forced to market using other means – and convince viewers to pay extra for the privilege.

There's no need to take my word for it – the Government Accounting Office has already come to similar conclusions. As you've no doubt read in its October 2003 report, the GAO expressed concern that under an *a la carte* policy, "some cable networks, especially small and independent networks would not be able to gain enough subscribers to support" their own survival. Leading voices in minority programming, such as Al Liggins of TVOne, have echoed this sentiment, and Hillary Shelton of the NAACP's Washington Bureau told Congressional leaders in a letter that "programming channels aimed at small but significant minority segments of the population would be threatened," especially "programming intended for racial and ethnic minority or foreign-language audiences."

The effects are not limited to network diversity, however. The GAO also noted that *a la carte* pricing would "result in higher per channel rates" for consumers, who would likely see higher monthly bills for fewer channels. Considering that minorities rely on cable as an important information source, an increase in the price to access those channels would have a powerfully adverse affect. We ought to be particularly sensitive to marginalizing any part of the populace in the context of an election year.

Representing my community in Queens means representing a mixture of minority constituents – we like it that way. It would be a shame if cable, which started as a means to expand the reach of television, were to become a homogeneous tool of the privileged instead of the diverse educational medium it has been for the past decade.

Sincerely,

A handwritten signature in dark ink, appearing to read "Hiram Monserrate", with a stylized flourish at the end.

Hiram Monserrate
New York City Council